

REMARKS

Claims 13-22 are now pending in the above-referenced patent application. Applicants respectfully request further consideration of these claims, in view of the amendments set forth above and the following remarks.

Amendments to the Specification

The specification has been amended to delete the paragraph added in the previous amendment. The Final Office action objected to the amendment to the specification as allegedly introducing new matter. While Applicants disagree with the objection, in order to further prosecution, the paragraph is deleted herewith.

Amended Claims

Claims 13 and 22 have each been amended. Support for these amendments can be found throughout the specification, including for example at page 8, lines 26-27, page 9, lines 2-14, page 9, lines 19-25 and page 9, lines 27-31.

No new matter has been added.

Rejection Under 35 U.S.C. § 112 (Written Description)

Claims 13 and 17 stand rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement. While Applicants disagree with the rejection, in order to further prosecution, claims 13 and 17 have been amended to delete the element “to achieve at least about 95% of the theoretical density of the metal alloy” from each of the claims. Thus, Applicants submit that the rejection is obviated and request the rejection be withdrawn.

Rejection Under 35 U.S.C. § 112 (Enablement)

Claims 13 and 17 stand rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the enablement requirement. While Applicants disagree with the rejection, in order to further prosecution, claims 13 and 17 have been amended to delete the element “to achieve at least about 95% of the theoretical density of the metal alloy” from each

of the claims. Thus, Applicants submit that the rejection is obviated and request the rejection be withdrawn.

Rejections Under 35 U.S.C. § 103(a) (Weaver, Tomonto, Schwartz and Gressel)

The Final Office action rejects claims 13-22 under 35 U.S.C. § 103(a) based on various combinations of references.

Applicants respectfully traverse these rejections in view of the amendments made to the claims.

Claims 13 and 17 have been amended to add the limitation that the composite structure molded from the mixture includes a strut member having an element selected from:

- i. at least one navigation pad for exhibiting distinctive radiological image, wherein the navigation pad is integrally coupled to the strut member;
- ii. at least one drug-storing reservoir, wherein the reservoir is integrally coupled to the strut member;
- iii. a least one interlocking pad, wherein the interlocking pad is integrally coupled to the strut member; and
- iv. at least one fastening pad for attaching biological membranes to the stent, wherein the fastening pad is integrally coupled to the strut member.

Applicants respectfully submit that these features are not disclosed, taught or suggested anywhere in the cited references.

For at least the reasons, Applicants respectfully submit that claims 13-22 are patentable over Weaver in view of Tomonto or Schwartz and Gressel.

Reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

Equivalents

The amendments to the claims and the arguments presented in supplemental response to the Office action have been made to claim subject matter which the Applicants regard as their invention. By such amendments, the Applicants in no way intend to surrender any range of

equivalents beyond that which is needed to patentably distinguish the claimed invention as a whole over the prior art. Applicants expressly reserve patent coverage to all such equivalents that may fall in the range between applicants literal claim recitations and those combinations that would have been obvious in view of the prior art. In particular, as noted above, many of the claims have not been narrowed within the meaning of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 62 USPQ2d 1705 (2002), and Applicants are therefore entitled to the full range of equivalents with respect to each of the presently-pending claims.

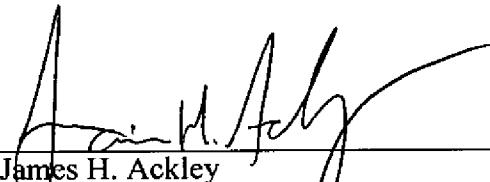
CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

The Examiner is hereby authorized to charge the fees required in connection with this Amendment to Deposit Account No. 13-2546, in accordance with the Transmittal submitted herewith. The Examiner is also authorized to debit any other fees required in connection with this application, or to credit any overpayment of fees in connection with this application to Deposit Account No. 13-2546.

Respectfully submitted,

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